COUNTY BOARD OF ZONING APPEAL #05002

TYPE OF APPEAL:
THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO A VARIANCE.

Section 7.007 of the Lancaster County Zoning resolution requires 209 parking spaces for a 41,700 square foot building. A variance of the required parking spaces to 12 stalls is requested.

LOCATION: Generally located southeast of S. 134th St and "O" Street.

ADDRESS: 290 S. 134th Street.

LEGAL: A portion of Lot 38 I.T. located in the NW 1/4 of Sec. 28, T 10 N, R 8 E, of the 6th P.M., Lancaster County, Nebraska

APPLICANT: Dick Bergt
Architectural Design Assoc.
7501 "O" Street, Suite 105
Lincoln, NE 68510
402-486-3232

LOT AREA: A 3.17 acre portion of a 27.06 acre I.T.

ZONING: "B" Business on the 3.17 acre and AG Agriculture District on the balance.

EXISTING LAND USE: Farm land and a pet cemetery.

SURROUNDING LAND USE: Manufacturing, zoned I Industrial to the north, Agriculture and pet cemetery zoned AG Agriculture to the east and south. Golf Course and dwellings, zoned AGR Agriculture Residential with a special permit and CUP to the west.

STAFF FINDINGS:

1.   The County Board approved Change of Zone 04087, from AG Agriculture to "B" Business on a 3.17 acre portion of this lot on March 29th, 2005.

2.   On September 26, 2005 the applicant applied for a building permit from Building and Safety to construct a self storage project including a 1,050 square foot office and 5 self storage buildings totaling 41,700 square feet. This was denied because it did not meet the County Zoning Regulations for the required parking of 209 stalls (41,700 square @ one parking space per 200 square feet). Approval of a variance from 209 to 12 in parking is requested.

3.   The portion of the lot zoned AG cannot be used for the commercial parking.

4.   The County parking requirement does not have the mini warehouse parking provisions existent in the Lincoln Zoning Ordinance.

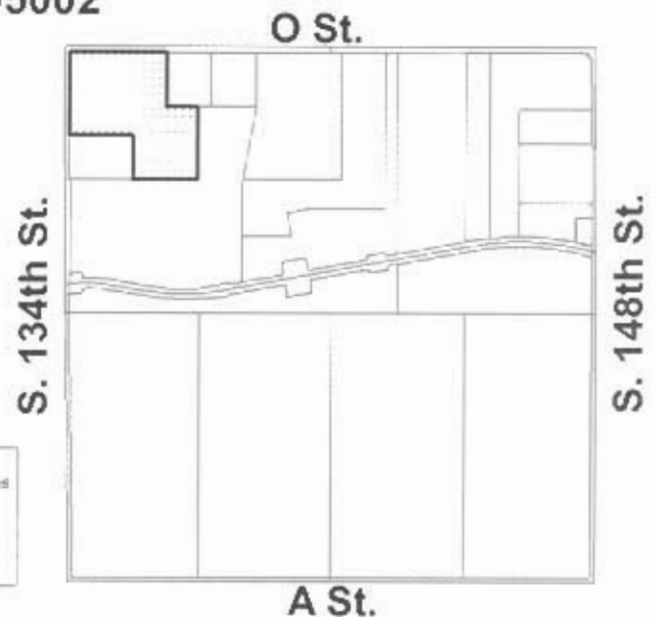Report prepared October 28, 2005

Mike DeKalb
Planner

AG

I

N 134TH ST

O ST

CLUBHOUSE DR

PEBBLE BEACH

B

AGR

S 134TH ST

AGR

AG

Area of Application

AG

2005 aerial

County Board of Zoning Appeals #05002
290 S. 134th St.

Zoning:

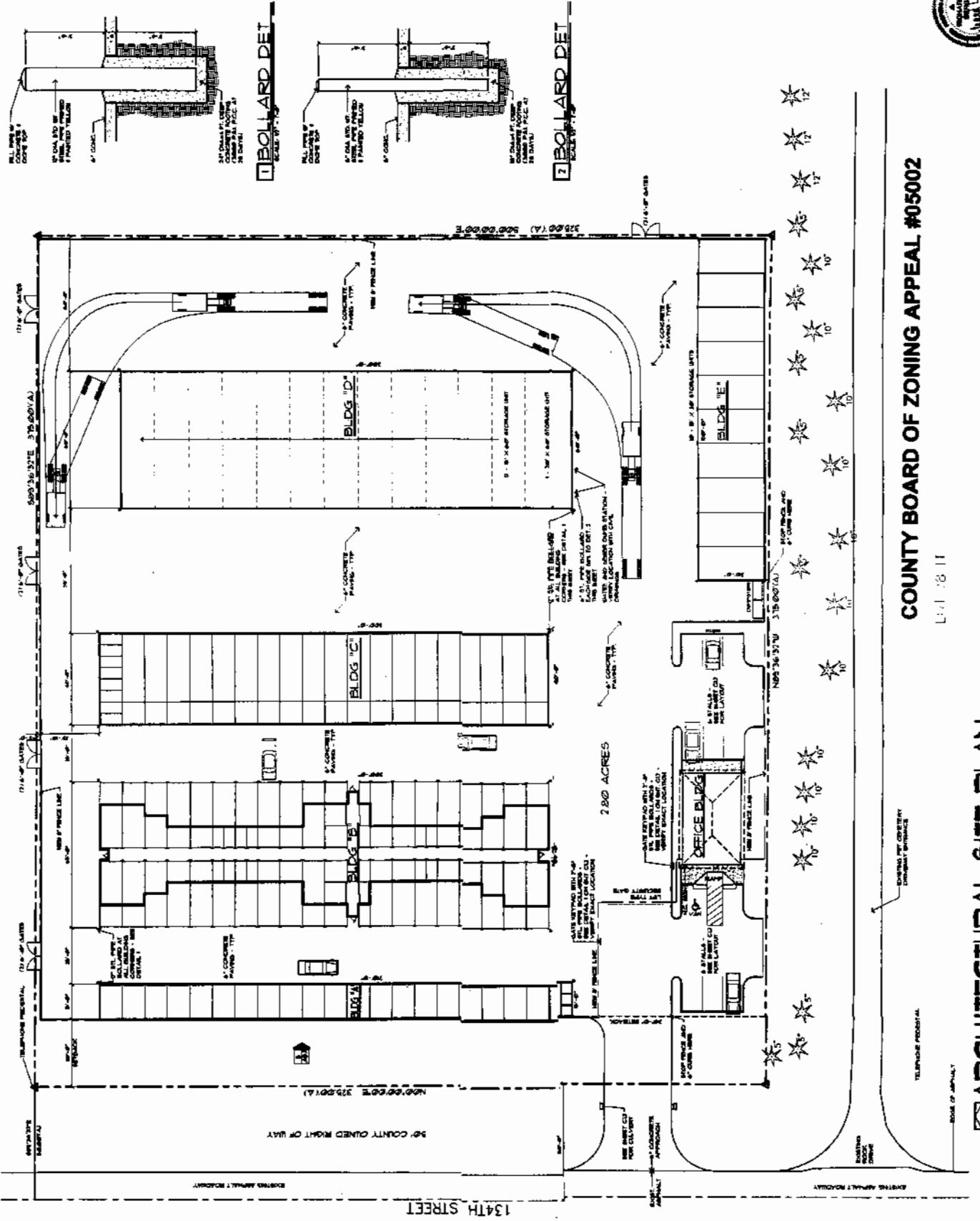|	
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricutural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

m:\plan\arcview\05_bza\cbza05001

One Square Mile
Sec. 28 T10N R8E

N

Zoning Jurisdiction Lines

City Limit Jurisdiction

O St.

S. 134th St.

S. 148th St.

A St.

ADA

Architectural Design Associates P.C.
Suite 105 7601 'O' Street Lincoln, NE 68510   Phone (402) 486-3232

C1.0

1 BOLLARD DET
SCALE: 1" = 1'-0"

2 BOLLARD DET
SCALE: 1" = 1'-0"

BLDG "D"

BLDG "C"

BLDG "B"

BLDG "A"

BLDG "E"

OFFICE BLDG

2.80 ACRES

COUNTY BOARD OF ZONING APPEAL #05002

1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'

50' COUNTY OWNED RIGHT OF WAY

134TH STREET

PLANNING DEPT. **MV** DATE OF HEARING _____ CO. BOARD OF APPEALS NO **CBA05002**

Fee **50.00 pd 9/0** Receipt No. _____ Date **10-24-05**, 20____.

APPEAL TO COUNTY BOARD OF ZONING APPEALS

BOARD OF ZONING APPEALS, Lancaster County, Nebraska

On **SEPT 26** , 20**05**, the undersigned applied for a building permit to **CONSTRUCT THE "EAST "O" STREET SELF STORAGE" PROJECT AT 290 SOUTH 134TH ST., INCLUDING A 1050 SF OFFICE & 5 SELF STORAGE BUILDINGS (TOTAL S.F. 41,700 sf)**

Located on Lot **30 I.T** ~~Block~~ _____ Addition **NW 1/4 OF** Sec **28** Township **10N** Range **8E**

Address **290 SOUTH 134TH ST.** _____ Have you met with the neighboring properties? ____Yes ✔ No

> TO BE FILLED IN BY BUILDING OFFICIAL: This permit was denied because <u>Article 7.007 LCZR requires</u> **RECEIVED**
>
> <u>209 parking spaces for a 41,700 ft self-storage building. A variance from</u>
>
> <u>209 parking spaces to 12 is requested.</u> **OCT 24 2005**

The above decision(s) of the Building Official is hereby appealed on the grounds that (check and com**CITY BUILDING & SAFETY**

☐ The Administrative Official erred by _____

☒ A Variance to (height, area, (parking), density) is necessary because the property is peculiar, exceptional, and

unusual in the following ways: **'B' ZONING REQUIRES 1 PARKING STALL PER 200 SF SO 41,700 sf ÷ 200 = 209 STALLS — A SURVEY OF ALMOST ALL SELF-STORAGE FACILITIES IN THE COUNTY INDICATED THAT THE MAXIMUM STALLS PROVIDED WERE NOT MORE THAN 6 STALLS — WE ARE SHOWING 12, TWICE AS MANY — WE ARE REQUESTING A WAIVER FROM 209 TO 12, — THIS IS A REASONABLE AMOUNT DUE TO THE NATURE OF SELF-STORAGE BUSINESS**

☐ An exception is necessary to:

1. Reconstruct a non-conforming building for a compelling public necessity because: _____

_____

2. To permit erection or use of a public service corporation for public utilities: _____

3. To interpret provisions where the map does not reflect the street layout on the ground: _____

Contact Person: **DICK BERGT** Address: **ARCHITECTURAL DESIGN ASSOC. SUITE 105 7501 "O" LINCOLN NE 68510**

Phone #: **402 486-3232** E-mail (if applicable) _____

Staff will post a notification sign in the yard of the property and other officials may visit the site prior to the hearing. Signing this form hereby grants permission to the staff to enter onto property for purposes related to this application.

Signed: **Dick Bergt** **SUITE 105 7501 "O" LINCOLN NE 486-3232**
Appellant Appellant's Address **68510** Phone #

Form 15-17 F:\FILES\SHARED\county board of zoning appeals.wpd 5-27-03